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May 6, 2009

BY EMAIL AND REGULAR MAIL

Michael Berkoff
Project Manager
United States Environmental Protection Agency
77 West Jackson Boulevard
Mail Code: SRF-6J
Chicago, Illinois 60604-3507

RE: Ellsworth Industrial Park

Dear Mr. Berkoff:

This letter follows up on some of the items raised during the Ellsworth Industrial Park technical call on Thursday, April 30, 2009 and, more specifically, provides you with some of the documents and information that were mentioned during that call. This material is being provided to you on behalf of our client, Precision Brand Products, Inc.¹

1. **"PRIVATE PARTY DATA" FROM SAMPLES TAKEN IN AND NEAR
THE ELLSWORTH INDUSTRIAL PARK**

During the April 30th call, we asked for the Agency's response to the PRPs' comment concerning the Agency's: (1) failure to include, in either the Draft Remedial Assessment or the August, 2007 "Data Deliverable," certain data from samples taken at locations in and near the Ellsworth Industrial Park which were obtained on behalf of private parties; and (2) the Agency's apparent failure to consider any of this "private party data" in its preparation of the draft RI. We further noted that this data had been provided to USEPA some time ago pursuant to USEPA's request. (*See, e.g.,* 4/9/2009 Letter from White to Krueger covering Summary of Core Technical Comments, Comment §3.H; 9/19/2007 Letter from White and Erzen to Enwiya Re: Ellsworth

¹ This letter is not intended to comprehensively address the Agency's responses to the items noted in Mr. White's April 9, 2009 letter to Mr. Krueger (including the attached "Summary of Core Technical Comments"). This letter is only intended to promptly provide the Agency with information that our recent call indicated may be of use and/or of interest to the Agency.

Industrial Park Data Release: Preliminary Comments, Comment 1.b; and 6/23/2006 Letter from White to Krueger transmitting information including private party data.)²

The Agency's initial response to this comment during our call was based upon a recollection that the private party data may not have had the level of QA/QC necessary to allow the inclusion of the private data in the Agency's database for the Ellsworth Industrial Park. The Agency also agreed, however, to allow us to again provide private party data to the Agency.

Consequently, on the enclosed CD we are providing the Agency with PDF versions of the following "investigations" reporting private party data, all of which were noted in our letter of September, 19, 2007:

- Ames Property – Roux Associates (2006)
- Ames Property – Roux Associates (2006b)
- Downers Grove Sanitary District Property – Weaver Boos (2006)
- Downers Grove Sanitary District Property – Huff & Huff (2006)
- Fusibond Piping System Property – Weaver Boos (2006)
- Fusibond Piping System Property – Roux Associates (2006a)
- Fusibond Piping System Property – Roux Associates (2006b)
- Lindy Property – ERM, Inc. (2002)
- Magnetrol International, Incorporated Property – Mostardi Platt Environmental (2006)
- Magnetrol International, Incorporated Property – CPI (Permeability Study) (2006)
- Rexnord Industries Property – CRA (2006)
- Sterling North Park Property – Weaver Boos (2006)
- Sterling North Park Property – Huff & Huff (2006)
- The Morey Corporation Former Property – CDM (2002 – 2005)

The "Magnetrol International, Incorporated Property – Mostardi Platt Environmental (2006)" investigation has Level IV QA/QC documentation available. That documentation is being gathered. We do not at this time know the QA/QC level or have the QA/QC documentation that is or may be available for the remaining investigations.

We are not providing the additional "private party data" contained in the six investigations referred to on page 2 of the August 24, 2007 letter from Mr. Ruiz of Weston to Mr. Enwiya of USEPA on the assumption that, since these investigations are specifically mentioned in the August 24, 2007 letter from Mr. Ruiz of Weston to Mr. Enwiya of USEPA, USEPA has those investigations in hand. If this assumption is not correct, please let us know.

² PDFs of these communications with the Agency are contained in the attached CD for your convenience.

2. OTHER BEDROCK DATA AND POTENTIAL OFF-SITE SOURCES

During the April 30th call, we also followed up on our April 9, 2009 comment regarding the Agency's apparent failure to include, in the Draft Remedial Investigation and the August, 2007 "Data Deliverable," information concerning potential off-site sources and certain sampling data taken from the bedrock aquifer by IEPA. (See, 4/9/2009 Summary of Core Technical Comments, Comment §3.H, and 9/19/2007 Letter from White and Erzen to Enwiya Re: Ellsworth Industrial Park Data Release: Preliminary Comments, Comment 1.c.)

Per that discussion, we are providing the Agency with the following materials showing this data:

- An IEPA fax reporting VOC detections (produced by IEPA pursuant to a FOIA request);
- A spreadsheet called "Historical Downers Grove Bedrock Samples," which contains information obtained from the IEPA in an organized form and graphs of that data;
- Bendik Exhibit 88 (see page PBFOIA 00548, "TREATMENT," concerning TCE contamination in the Belmont Highwood water supply);
- Bendik Exhibit 79 (a Downers Grove memoranda reporting laboratory results from surface water samples taken from the St. Joseph Creek, where the samples were taken to the east (upstream) of the Ellsworth Industrial Park; and
- Mercer Report Figure 2, which may be helpful insofar as it shows the locations of the Belmont Highwood wells, the Maple Hill well nest, and Downers Grove wells DG-10 and DG-6.

Please note that backup documentation for the IEPA sampling results was provided to us by the IEPA pursuant to a FOIA request, and we can provide that paperwork to you upon request.

3. OTHER PRIVATE PARTY DATA

For the sake of completeness, we are also enclosing other private party data that we located in our files. Some or all of this data should be in USEPA's possession, and some may overlap with the private party investigations listed on page 2 of the August 24, 2007 letter from Mr. Ruiz of Weston to Mr. Enwiya of USEPA.

Please contact us if you have any questions.

Sincerely,



Mark Erzen

MDE/ms

Enclosure: CD (files listed on next page)

cc: Mr. Thomas Krueger, Esq. / USEPA w/enc.

SAO Signatories (w/o enclosure)

MDEPRQ36.DOC

Mr. Michael Berkoff

May 6, 2009

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FILES ENCLOSED

0 Correspondence

2006-06-23 Letter White to Krueger.pdf
2006-07-11 Letter White to Krueger.pdf
2007-08-24 Letter Ruiz to Enwiya.pdf
2007-09-19 Email White to Enwiya.pdf
2007-09-19 Letter White and Erzen to Enwiya.pdf
2009-04-09 Letter White to Krueger (Core Technical Comments).pdf

1 Private Party Data

Ames Property - Roux Associates 2006a.pdf
Ames Property - Roux Associates 2006b.pdf
Downers Grove Sanitary District Prop - Huff and Huff 2006.pdf
Downers Grove Sanitary District Prop - Weaver Boos 2006.pdf
Fusibond Piping Systems Property - Roux Associates 2006a.pdf
Fusibond Piping Systems Property - Roux Associates 2006b.pdf
Fusibond Piping Systems Property - Weaver Boos 2006.pdf
Lindy Property - ERM 2002.pdf
Magnetrol International Inc Prop - CPI Permeability 2006.pdf
Magnetrol International Inc Prop - Mostardi Platt Env 2006.pdf
Rexnord Industries Property - CRA 2006.pdf
Sterling North Park Property - Huff and Huff 2006.pdf
Sterling North Park Property - Weaver Boos 2006.pdf
The Morey Corporation Former Property - CDM 2002 - 2005.pdf

2 Other Bedrock Data and Potential Off Site Sources

2001-06-21 IEPA Fax Concerning VOCs.pdf
Bendik_Exhibit_79 - 1988-03-16 Downers Grove Memo.pdf
Bendik_Exhibit_88 - 1992-06-22 Letter from IEPA.pdf
Figure 2 from Mercer Expert Report.pdf
Figure 2 from Mercer Expert Report BW.pdf
Historical Downers Grove Bedrock Samples.xls

3 Other Private Party Data

Downers Grove Sanitary District Prop - Huff and Huff 2002.pdf
Downers Grove Sanitary District Prop - Huff and Huff 2003.pdf
Downers Grove Sanitary District Prop - Huff and Huff 2005.pdf
Magnetrol International Inc Property - CPI 2006.pdf
Magnetrol International Inc Property - Weaver Boos 2006.pdf
Rexnord Industries Property - CRA 2002.pdf
Splits from USEPA Well Sampling During RI - Weaver Boos 2006.pdf
The Morey Corporation Former Property - ENMARC 2000.pdf
The Morey Corporation Former Property - Pioneer 2000.pdf
The Morey Corporation Former Property - Pioneer 2001.pdf